



0820-04

RCE

1637

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JRW

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-----------------------|
| Application Number | 10/021,906 |
| Filing Date | December 12, 2001 |
| First Named Inventor | Chee, Mark S., et al. |
| Group Art Unit | 1637 |
| Examiner Name | Strzelecka, T. |
| Attorney Docket Number | 067234-0018 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

NOTE: 37 C.F.R. § is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply including Exhibit A
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other:

2. **Miscellaneous**

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.1.03(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees \$440.00, or credit any overpayments, to Deposit Account No. 502624.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$385.00
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$55.00
- iii. ☐ Other (additional claims, etc.)
- b. ☐ Check in the amount of \$____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------|-----------------------------------|-----------------|
| Name (Print/Type) | David A. Gay | Registration No. (Attorney/Agent) | 39,200 |
| Signature | | Date | August 19, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR § 1.10)

"Express Mail" Mailing Label Number EV 540 266 685 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop RCE: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Aug 19, 2004

08/23/2004 WBD/ELR1 00000064 502624 10021906

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Docket No.: 067234-0018

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------|---|--|------------------------|
| Applicant | : | Chee, Mark S., et al. | Customer No.: 41552 |
| Appl. No. | : | 10/021,906 | Confirmation No.: 3279 |
| Filed | : | December 12, 2001 | |
| Title | : | DETECTION OF NUCLEIC ACID AMPLIFICATION REACTIONS USING BEAD ARRAY | |
| Grp./A.U. | : | 1637 | |
| Examiner: | : | T. Strzelecka | |

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Carrie Casey

SUBMISSION UNDER 37 C.F.R. § 114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed December 19, 2003, and the subsequent Advisory Action mailed April 19, 2004, consideration of the following Remarks is respectfully requested.

Status of the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.